

RICHARD A. SMITH, WSBA 15127
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Attorneys for Defendant
Juanita Ramirez

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON
(Honorable Salvador Mendoza, Jr.)**

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JUANITA RAMIREZ,
Defendant.

NO. 1:19-CR-02058-SMJ-4

MOTION TO CONTINUE MOTION
TO SUPPRESS STATEMENTS [ECF
100], PRETRIAL CONFERENCE
AND TRIAL DATES

DATE: August 26, 2020

TIME: 6:30 P.M.

Without Oral Argument

TO: Clerk of U.S. District Court, Eastern District of Washington

TO: Patrick Cashman, Assistant United States Attorney

COMES NOW JUANITA RAMIREZ by and through her attorney of record,
Richard A. Smith of *Smith Law Firm*, and moves the Court for an order continuing
her Motion to Suppress Statements [ECF 100] and to continue the pre-trial
conference and trial dates.

MOTION TO CONTINUE MOTION TO SUPPRESS
STATEMENTS [ECF 100], PRETRIAL CONFERENCE AND
TRIAL DATES - Page 1

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1 This motion is made based upon the Declaration of Richard A. Smith.

2 DATED this 25th day of August 2020.

3 Presented by:

4 /s/ Richard A. Smith

5 RICHARD A. SMITH, WSBA 15127

6 Attorney for Defendant Juanita Ramirez

7
8 **DECLARATION OF RICHARD A. SMITH IN SUPPORT OF MOTION TO**
9 **CONTINUE MOTION TO SUPPRESS STATEMENTS [ECF 100], PRETRIAL**
10 **CONFERENCE AND TRIAL DATES**
11

12
13 I, RICHARD A. SMITH, declare as follows:

14 1. That I am the attorney for Juanita Ramirez; and

15 2. That I was appointed to represent Juanita Ramirez on December 9, 2019,
16 by Magistrate Judge Mary K. Dimke; and

17 3. That Juanita Ramirez was arraigned on December 6, 2019; and

18 4. That on June 26, 2020, I filed a Notice of Objection of Videoconference
19 Hearing and Motion to Continue Suppression Hearing [ECF 134]. I requested that
20 the hearing be set for a time and date when an in-person hearing can take place that
21 ensures the safety of court personnel, the parties and participants and which allows
22 for a hearing in the traditional courtroom setting; and

23
24 6. That my motion for the in-person hearing, to continue the pre-trial
25 conference and to continue the trial date was granted by Order dated July 6, 2020
26 [ECF 137]; and

27
28 7. That on August 21, 2020 the Court entered General Order No. 20-101-9.

29 This order vacated grand jury sessions, excluded from the Speedy Trial Act the time

30 MOTION TO CONTINUE MOTION TO SUPPRESS
31 STATEMENTS [ECF 100], PRETRIAL CONFERENCE AND
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1 August 21, 2020 through September 30, 2020 and essentially closed the Yakima
2 Courthouse for in-person hearings through September 30, 2020; and

3 8. That the defense concerns regarding a video conference hearing
4 identified in ECF 134 have not changed. Consequently, Ms. Ramirez requests this
5 Court to continue the time and date of the Suppression Hearing, the Pre-trial
6 conference and the Trial dates; and

7
8 9. That I have discussed with Ms. Ramirez her rights under the Speedy
9 Trial Act 18 U.S.C. § 3161 and she agrees with this requested continuance and will
10 execute a statement of reasons in order to accommodate this continuance; and

11 10. I have contacted Assistant United States Attorney Patrick Cashman and
12 he does not object to the continuance. I provided Mr. Cashman with dates proposed
13 in the Case Management Deadlines attached as Exhibit A to this motion. As of the
14 time of this filing he has not responded; and

15
16 11. That I am requesting that the Motion to Suppress Statements [ECF 100]
17 be continued to December 15, 2020 at 1:30 p.m.; continuance of pre-trial conference
18 from its current date to January 7, 2021 at 9:30 a.m. and trial from its current date to
19 February 1, 2021.

20 DATED this 25th day of August 2020.

21 Presented by:

22
23 /s/ Richard A. Smith

24 RICHARD A. SMITH, WSBA 15127

25 Attorney for Defendant Juanita Ramirez
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28
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CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury of the laws of the State of Washington that on August 25, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

Patrick Cashman, Assistant United States Attorney.

/s/ Lugene M. Borba

LUGENE M. BORBA

Legal Assistant, Smith Law Firm